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SACRAMENTO COURTS  
DEPT. #53

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SUPERIOR COURT OF THE STATE OF CALIFORNIA  
IN AND FOR THE COUNTY SACRAMENTO

FAIR POLITICAL PRACTICES COMMISSION,  
a state agency,  
  
Plaintiff,  
  
v.  
  
NATIONAL REPUBLICAN CONGRESSIONAL  
COMMITTEE NON-FEDERAL (CALIFORNIA)  
AND DONNA ANDERSON,  
  
Defendants.

Case No.

02AM09141

FPPC No.: 02/021

STIPULATION FOR ENTRY OF  
JUDGMENT

(IN FAVOR OF PLAINTIFF  
AGAINST DEFENDANTS)

Plaintiff Fair Political Practices Commission, a state agency, by its attorneys, and Defendants National Republican Congressional Committee Non-Federal (California) and Donna Anderson enter into this stipulation to resolve all factual and legal issues pertaining to the complaint for civil penalties filed herewith.

It is stipulated by and between the parties as follows:

The complaint on file in this action was properly filed and served on Defendants National Republican Congressional Committee Non-Federal (California) and Donna Anderson.

Jurisdiction of the subject matter and of the parties to this action and venue are properly in Sacramento Superior Court. The complaint states one cause of action against Defendants National

1 Republican Congressional Committee Non-Federal (California) and Donna Anderson, and any defects in  
2 the complaint are expressly waived.

3 The Court will enter judgment in this action, pursuant to the stipulation, on request of Plaintiff  
4 Fair Political Practices Commission without notice to Defendants National Republican Congressional  
5 Committee Non-Federal (California) and Donna Anderson. Plaintiff Fair Political Practices  
6 Commission and Defendants National Republican Congressional Committee Non-Federal (California)  
7 and Donna Anderson agree to enter into this stipulation to resolve all factual and legal issues raised in  
8 this matter, and to reach a final disposition with respect to Defendants, without the necessity of holding  
9 a civil trial to determine their liability.

10 Defendants National Republican Congressional Committee Non-Federal (California) and Donna  
11 Anderson understand, and hereby knowingly and voluntarily waive, any and all procedural rights that  
12 they could have exercised if this stipulation had not been entered into, including, but not limited to, their  
13 right to civil discovery, to appear personally at any civil trial held in this matter, to confront and cross-  
14 examine witnesses, and to have the trial presided over by an impartial judge, and heard and decided by a  
15 jury.

### 16 **ENTRY OF JUDGMENT**

17 For the violation of the Political Reform Act admitted herein, Plaintiff Fair Political Practices  
18 Commission and Defendants National Republican Congressional Committee Non-Federal (California)  
19 and Donna Anderson stipulate that a final judgment be issued and entered in the form of the order  
20 attached hereto and made a part hereof as Exhibit "A," against Defendants National Republican  
21 Congressional Committee Non-Federal (California) and Donna Anderson, and in favor of Plaintiff Fair  
22 Political Practices Commission, for a monetary penalty of Twenty-two Thousand Dollars (\$22,000).  
23 Payment of this amount shall be made by cashier's check, payable to the "General Fund of the State of  
24 California," upon the execution of this stipulation.

25 The final judgment may be signed by any judge of the Superior Court of the State of California,  
26 for the County of Sacramento, and entered by any clerk upon application of any party without notice.  
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1                                    **STIPULATED STATEMENT OF LAW AND FACTS**

2    1.     **THE PARTIES AND BACKGROUND INFORMATION**

3             Plaintiff Fair Political Practices Commission (the “Commission”) is a state agency created by the  
4 Political Reform Act of 1974 (the “Act”). (Gov. Code §§ 81000 - 91014.) The Commission has  
5 primary responsibility for the impartial, effective administration and implementation of the Act. (Gov.  
6 Code § 83111.) Pursuant to Government Code section 91001, subdivision (b), the Commission is the  
7 civil prosecutor for matters involving state election campaigns, and is authorized to maintain this action  
8 under Government Code sections 91001, subdivision (b), 91004, 91005 and 91005.5.

9             Defendant National Republican Congressional Committee Non-Federal (California) was, at all  
10 times relevant to this matter, a recipient committee as defined in Government Code section 82013,  
11 subdivision (a). Defendant Donna Anderson was, at all times relevant to this matter, the treasurer of  
12 Defendant National Republican Congressional Committee Non-Federal (California).

13    2.     **SUMMARY OF THE CAMPAIGN REPORTING REQUIREMENTS**

14             An express purpose of the Act, as set forth in Government Code section 81002, subdivision (a),  
15 is to ensure that the contributions and expenditures affecting election campaigns are fully and truthfully  
16 disclosed to the public, so that voters may be better informed, and so that improper practices will be  
17 inhibited. In furtherance of this purpose of disclosure, the Act sets forth a comprehensive campaign  
18 reporting system. (Gov. Code § 84200 et seq.)

19             One feature of this system is Government Code section 84203, subdivision (a). That statute  
20 requires a committee that makes a late contribution, to file a late contribution report, disclosing the late  
21 contribution, within 24 hours of making the contribution. Government Code section 82036 defines a  
22 “late contribution” as a contribution aggregating \$1,000 or more that is received before an election, but  
23 after the closing date of the last pre-election statement. Government Code section 82015, subdivision  
24 (a), defines a “contribution,” in pertinent part, as a payment except to the extent that full and adequate  
25 consideration is received, unless it is clear from the surrounding circumstances that it is not made for  
26 political purposes. Pursuant to Government Code sections 84200.7 and 84200.8, the late contribution  
27 reporting period is the last 16 days before an election.

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1 3. CIVIL LIABILITY PROVISIONS

2 Under Government Code section 91004, any person who intentionally or negligently violates any  
3 of the reporting requirements of the Act shall be liable in a civil action in an amount up to the amount  
4 not properly reported. Persons that violate Government Code section 84203 are liable in a civil action  
5 pursuant to Government Code section 91004.

6 Pursuant to Government Code sections 81004, subdivision (b) and section 84100, and California  
7 Code of Regulations, title 2, section 18427, subdivision (c), it is the duty of a committee's treasurer to  
8 ensure that the committee complies with all of the requirements of the Act concerning the receipt and  
9 expenditure of funds, and the reporting of such funds. A committee's treasurer may be held jointly and  
10 severally liable, along with the committee, for any reporting violations committed by the committee.  
11 (Gov. Code §§ 83116.5, 91006.)

12 4. SUMMARY OF THE FACTS

13 As a recipient committee and treasurer, Defendants National Republican Congressional  
14 Committee Non-Federal (California) and Donna Anderson had a duty to comply with the campaign  
15 reporting provisions of the Act, including the duty to file late contribution reports as required by  
16 Government Code section 84203, subdivision (a).

17 On October 26, 1998, Defendants made a \$100,000 late contribution to Dan Lungren, a  
18 candidate for Governor in the November 3, 1998 general election. The late contribution reporting  
19 period for the November 3, 1998 general election was October 18, 1998 through November 2, 1998.  
20 Defendants were required to file a late contribution report disclosing the late contribution by October 27,  
21 1998, but failed to do so. By failing to file a late contribution report disclosing a \$100,000 late  
22 contribution, Defendants violated Section 84203.

23 On October 27, 2000, before the November 7, 2000 general election, Defendants made a  
24 \$100,000 late contribution to Alan Nakanishi, a candidate for State Senate. The late contribution  
25 reporting period for the November 7, 2000 general election was October 22, 2000 through November 6,  
26 2000. Defendants were required to file a late contribution report disclosing the late contribution by  
27 October 28, 2000, but failed to do so. By failing to file a late contribution report by October 28, 2000,  
28 disclosing the \$100,000 late contribution, Defendants violated Section 84203.

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CONCLUSION

Judgment shall be entered against Defendants National Republican Congressional Committee Non-Federal (California) and Donna Anderson, and in favor of Plaintiff Fair Political Practices Commission, in the amount of Twenty-two Thousand Dollars (\$22,000).

IT IS SO STIPULATED:

Dated: Oct. 17, 2002

Donna Anderson  
Donna Anderson, individually and on behalf of the National Republican Congressional Committee Non-Federal (California), Defendants

Dated: 10/24/02

Fair Political Practices Commission, Plaintiff  
By: Mark Krausse  
Mark Krausse, Executive Director

Dated: 10/23/02

Julia Bilaver  
Julia Bilaver, Attorney for Plaintiff Fair Political Practices Commission